The Adjutant General Directorate

"People Always ... Mission First"

CRSC Training Call

Prepared for: Veteran Advocates World Wide

UNCLASSIFIED

Agenda

- Welcome & Introductions
- CRSC Program Review
- CRSC Claim Workshop
- Potential Impact of Chapter 61 and TERA claims
- Question and Answer

Purpose of the CRSC Program

- In order to better understand eligibility requirements, it is important to know why CRSC was created

  - Since the late 1800s, retired veterans with disabilities waived their regular retired pay to receive Veterans Administration (VA) disability compensation

  - In December 2002, Congress enacted a legislative initiative to restore military retirement compensation that is on par with Federal service benefits

  - As a result of this legislation, Congress authorized CRSC for disabled retired veterans to *offset the monies taken out of a servicemember's retirement pay through a VA waiver*

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COMBAT-RELATED SPECIAL COMPENSATION
Because You – the Veteran – Earned It

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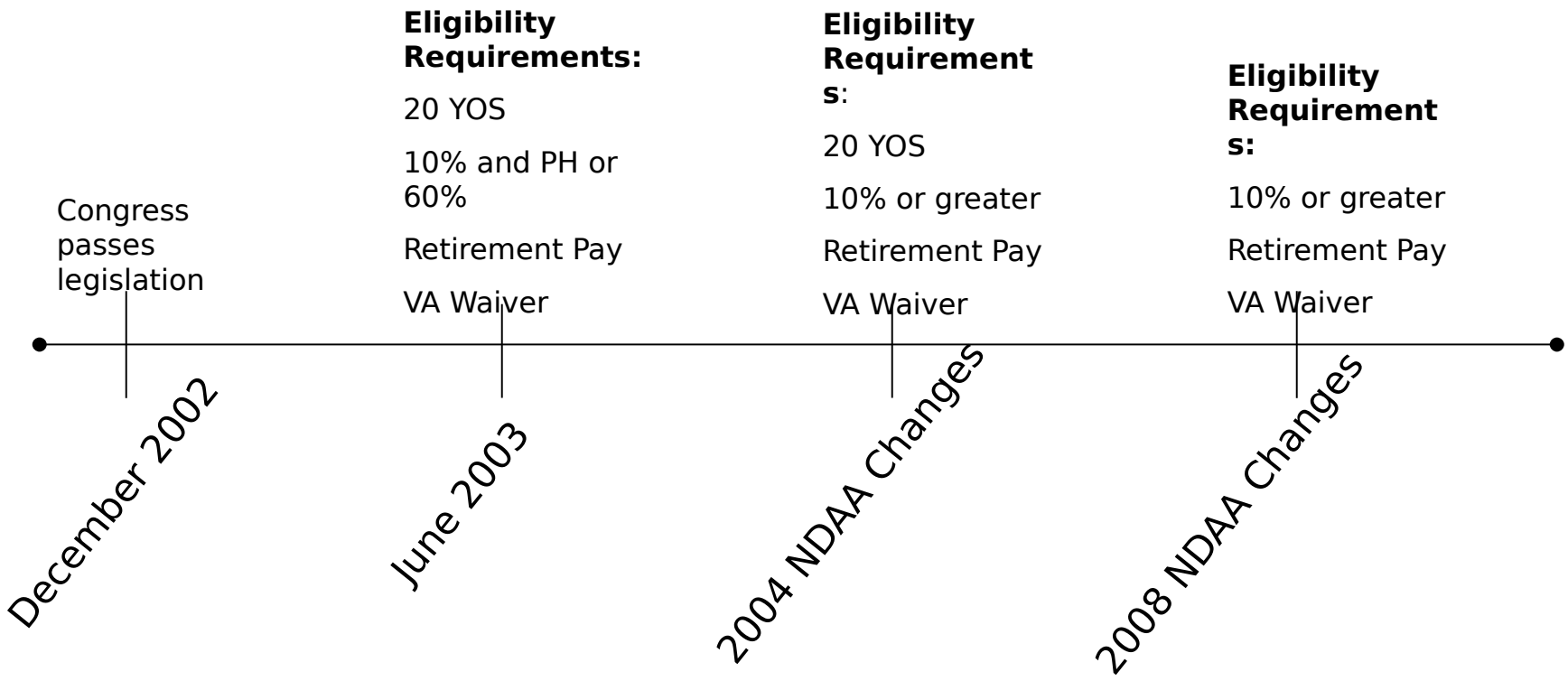
CRSC has changed to better meet the needs of our veterans



Current 2008 NDAA Changes

- Expanded eligibility removes the length of service
  - (20 year) requirement
- Available to any servicemember receiving military retirement pay for reasons **other than** for early retirement of reserve members with physical disabilities not incurred in the line of duty under section 12731b of title 10 USC

Who is Eligible?

Must meet ALL three requirements

AND

Have documentation that links your VA disability to a combat-related event

1. Receiving military retired pay
2. Military retired pay is reduced by VA disability payments (VA Waiver)
3. Have 10% or greater VA rated injury

1. Simulating War (SW)
2. Hazardous Service (HS)
3. Instrumentality of War (IN)
4. Armed Conflict (AC)

Service-Related vs. Combat-Related

- **Service Related (CRDP eligibility)**
  - An illness or injury which the Soldier incurred while in active military service or which existed prior to entry into active military service and was made worse by such service

- **Combat Related (CRSC eligibility)**
  - For the purposes of CRSC, a combat-related illness/injury can be an illness or injury that results from combat or training for combat. It can be caused by any of these situations:
    - » **Simulations of War (SW)** (e.g., FTX, Special Forces training exercises, combat confidence course or lanes training, or other training which is used to prepare for combat)
    - » **Hazardous Service (HS)** (e.g., aerial flight, parachute duty, demolition duty, experimental stress duty, and diving duty)
    - » **Instrumentalities of War (IN)** (e.g., tanks, Agent Orange, grenade simulators, military planes, and other items unique to the military)
    - » **Armed Conflict (AC)** - directly or indirectly (e.g., Purple Heart (PH) injuries or secondary conditions as a result of the injury)

Submitting a Successful CRSC Claim

- DO Submit:
  - A signed claim form
  - Copies of ALL VA rating decisions which include the letter and the narrative summaries
  - Copies of ALL DD214s and DD215s
  - Official documentary evidence that supports "HOW" the specific disability being claimed meets the criteria for combat-related
- DO NOT Submit:
  - Medical records that do not pertain to a combat-related disability
  - Electronic media, EKGs, lab slips, or dental records
  - Personal or "Buddy" statements

Documentation – What You Need to Know

- CRSC does not have access to your military records
- Unnecessary paperwork can impede the claim process
- All documentation must be from a military treatment facility or VA medical center
- CRSC needs to see a specific event that caused the disability being claimed in the medical documentation you provide
- CRSC is unable to award any compensation without something official that tells us how you got your injury or what caused your illness

CRSC Claim Workshop

- Each page provides a step-by-step guide to what information is needed

- CRSC Claim Pages
  - Retired veterans complete pages 1 – 3
  - The cover page and the appendix should not be mailed into the CRSC office

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CRSC Claim Page 1

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CLAIM FOR COMBAT-RELATED SPECIAL COMPENSATION (CRSC)

SECTION I - PERSONAL INFORMATION

1. NAME (Last, First, Middle Initial)
2. SOCIAL SECURITY OR EMPLOYEE ID NUMBER
3. RETIRED RANK/RATE
4. DATE OF BIRTH (YYYYMMDD)
5. TELEPHONE (Include area code)
6. E-MAIL ADDRESS
7. MAILING ADDRESS
   a. STREET (Include apartment number or P.O. Box)
   b. CITY
   c. STATE
   d. ZIP CODE

SECTION II - PRELIMINARY REQUIREMENTS

8. MARK (X) NEXT TO THE APPROPRIATE ANSWER FOR EACH QUESTION.

	YES	NO
QUALIFICATION BEFORE JANUARY 1, 2008		
a. Were you entitled to retired pay for regular service, having completed at least 20 years of service prior to January 1, 2008?		
OR		
b. Were you entitled to retired pay for reserve service, having completed at least 20 years of combined active and reserve service and having reached age 60 prior to January 1, 2008?		
OR		
c. Were you entitled to retired pay for reserve service under the Reserve TERA program having completed at least 15 but less than 20 years of combined active and reserve service and having reached age 60 prior to January 1, 2008? NOTE: You must provide proof of the retirement authority by attaching a copy of your Retirement Orders and/ or a copy of your 15 year letter. Evidence must clearly state that you were a reservist and you retired under Section 12731a of title 10, United States Code.		
QUALIFICATION ON OR AFTER JANUARY 1, 2008		
d. Are you currently entitled to military retired pay for any reason, other than early reserve retirement for physical disabilities not incurred in line of duty (i.e., other than section 12731b of title 10, United States Code?		

NOTE: If you answered NO to all questions a through d above, you are not eligible for CRSC.

SECTION III - SERVICE HISTORY

You must provide copies of evidence needed to verify this information (i.e., DD214's, awards, evaluations, etc.).

9. FROM WHICH SERVICE DID YOU RETIRE? Provide a copy of your retirement orders or "retirement" DD214. To expedite this claim it is important that you mail your claim to the service you retired from.

ARMY | NAVY/USMC | AIR FORCE | NOAA CORPS | COAST GUARD | PUBLIC HEALTH

10. DID YOU SERVE IN ANY OF THE FOLLOWING WARS OR COMBAT OPERATIONS? (X all that apply) (Provide a copy of a DD214/award citation or any other evidence that verifies ANY combat service.)

WWI	WWII	KOREAN WAR	VIETNAM	GULF WAR	OIF/OEF	OTHER (e.g., a SF Ops mission - explain where and when and provide evidence.)

11. WERE YOU EVER A PRISONER OF WAR (POW)? YES / NO
If YES, Indicate Where/When/How long (Provide any official evidence available):

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Name and Social Security Number

Section II, d pertains to eligibility after January 1, 2008

Section I Personal Identification

Section II Preliminary CRSC Criteria

Section III Service History

Must provide copies of all evidentiary documentation

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CRSC Claim Page 2

When <u>more than</u> 1 combat-related injuries is documented: *<u>photocopy this page</u>, for each additional disability, complete, and attach with your claim form*

V3AM

CLAIM FOR COMBAT-RELATED SPECIAL COMPENSATION (CRSC)

NAME (Last, First, Middle Initial)	SOCIAL SECURITY OR EMPLOYEE ID NUMBER

NOTE: To ensure the review of all of your requested disabilities, limit **<u>ONE</u>** disability for each page. You are authorized to make additional copies of this page for any additional disabilities. You may list any secondary conditions that are connected to a disability on the bottom of the sheet that it has been connected to. In order to award any disability as secondary we must have a copy of the evidence from VA or from your medical records which clearly states that the condition is the result of the primary condition you are requesting. Good evidence could include a VA rating decision that clearly states (for example), "hypertension is secondary to diabetes."
It is your responsibility to supply any evidence necessary to verify this disability is combat-related.

SECTION IV - REQUEST FOR COMBAT-RELATEDNESS DETERMINATION

12. VA FILE NUMBER (If known)

13. DISABILITY DESCRIPTION

a. TITLE OF DISABILITY (As written on the VA rating decision.)	b. BODY PART AFFECTED. (e.g., right knee)

c. VA DISABILITY CODE (If known)	d. DATE AWARDED BY VA (YYYYMMDD)	e. INITIAL RATING % BY THE VA	f. CURRENT RATING % BY THE VA

g. COMBAT-RELATED CODE (Mark (X) the code that best describes what caused the disability.) (See Appendix A for code descriptions.)

PH PURPLE HEART	AC ARMED CONFLICT	HS HAZARDOUS SERVICE	SW SIMULATING WAR	IN INSTRUMENT OF WAR	AO AGENT ORANGE	RE RADIATION	GW or MG GULF WAR or MUSTARD GAS

h. UNIT OF ASSIGNMENT WHEN INJURED	i. LOCATION/AREA OF ASSIGNMENT WHEN INJURED

j. IN YOUR OWN WORDS, DESCRIBE THE EVENTS SURROUNDING THE DISABILITY AND HOW IT MEETS THE GUIDELINES OF COMBAT-RELATED.

	YES	NO	N/A
k. DID YOU RECEIVE A PURPLE HEART (PH) FOR THIS INJURY? If YES, attach documentation to verify that you were awarded a PH and any evidence that proves what occurred or what body part was injured. NOTE: Proof of being awarded a PH does not always allow us to award a disability as PH. We need to know what the PH was awarded for. For example, send the medevac report and DD214.			
l. DID VA EVER DOCUMENT THAT THIS CONDITION CAUSED SECONDARY DISABILITIES? If YES, you must provide evidence from VA or your medical records which state that the conditions listed in item 13.m., below, are indeed caused by the primary condition listed above. We cannot award any condition as secondary without evidence to support the claim. Attach the VA rating decision for all secondary conditions. NOTE: If YES, list all secondary conditions in item 13.m., below.	YES	NO	

m. VA DETERMINED THAT THE FOLLOWING CONDITIONS ARE SECONDARY CONDITIONS TO THE PRIMARY DISABILITY (Listed in item 13.a., above).

(1) DISABILITY CODE	(2) DESCRIPTION	(3) % AWARDED BY VA	(4) DATE AWARDED (YYYYMMDD)

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Section IV
Combat-relatedness determination (Description of Injury)

Description of Secondary Disability

(if applicable)

Name and Social Security Number

If you photocopy, be sure to fill in the "page _ of _" so we are aware that all applicable pages are present.

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CRSC Claim Page 3

V3AM

CLAIM FOR COMBAT-RELATED SPECIAL COMPENSATION (CRSC)

NAME (Last, First, Middle Initial)	SOCIAL SECURITY OR EMPLOYEE ID NUMBER

SECTION V - REQUIRED DOCUMENTATION

14. In order to process your claim the following records *(if applicable)* **must be submitted with this claim. Do not send ANY original documents - COPIES only!**

a. All DD214's and DD215's (especially if for retirement or showing combat ribbons).

b. Retirement orders and supporting documents.

c. Reserve Retirement point computation including any 15-year or 20-year letter (if applicable).

d. Copies of ALL VA Rating Decisions, letters, and code sheets (current and prior). Do NOT remove any pages. All VA documents discussing changes in benefits including Special Monthly Compensation (SCM) and/or Individual Unemployability (IU).

e. Medical records or notes that verify how the injury/disability occurred. (Do NOT send EKGs, lab slips, CDs, diskettes or other electronic media.)

f. Physical Evaluation Board (MEB-PEB) results and/or summaries.

g. Any evidence which can be used to verify the events or circumstances.

SECTION VI - CERTIFICATION AND WAIVER OF CONCURRENT RETIREMENT AND DISABILITY PAYMENTS (CRDP)

16. Complete this section to enable the Defense Finance and Accounting Service (DFAS) or the applicable pay center for non-DoD retirees to make any CRSC payments you qualify to receive.

a. I understand that if I am eligible for both Concurrent Retirement and Disability Payments (CRDP) under 10 U.S.C., section 1414 and Special Compensation for Certain Combat-Related Disabled Uniformed Service Retirees under 10 U.S.C., section 1413a (CRSC), I may not receive both, but must elect which to receive.

b. I understand that if my election results in any retroactive payments, any previously paid amounts of CRDP, SCSD, or CRSC for that period of time will be deducted from any amount due for that period.

c. Under penalties of perjury, the information provided above is true to the best of my knowledge and belief and provided with the full knowledge of the penalties for making false statements (18 U.S.C. 287 and 1001 provide for a penalty of not more than $10,000 fine, or 5 years in prison, or both; 31 U.S.C. 3279 provides civil penalties; and 31 U.S.C. 3802 provides administrative penalties).

d. I hereby understand that payments will be deposited to my account of record for Uniformed Services retired pay if I am currently receiving such payments. Otherwise, they will be made to the account of record for my VA disability compensation. After payments begin, I must advise DFAS or the applicable non-DoD pay center of any changes to my account.

e. SIGNATURE	f. DATE SIGNED (YYYYMMDD)

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Name and Social Security Number

Section V Documentation Inventory

Section VI – Certification and *Waiver* of Concurrent Retirement and Disability payments (CRDP) *

Signature REQUIRED!

* If you are currently receiving CRDP payments and apply for CRSC, DFAS will give you whichever payment is higher.

Potential Impact

- Claims Processing
  - Expectation of approximately 20,000 additional claims
  - Hired and trained additional staff to handle the influx
  - Initial processing time for these claims will be 120 days until the pipeline has been reduced
  - The U.S. Army CRSC has received more than 1,600 Chapter 61 and TERA claims since January 1, 2008
- Communications
  - Prepared an e-Press Kit distributed to media outlets on June10,2008 and is available for download on www.crsc.army.mil
  - Trained Ambassadors and Affiliates to handle questions from the newly eligible retirees
  - Holding this call to educate veteran advocates around the world

Question and Answer

- (insert questions submitted ahead of time and then open up for question and answer as time permits)

Backup Slides: CRSC and CRDP

Decision Between CRSC and CRDP

Benefit Information	CRSC	CRDP
Full Concurrent Receipt	Yes	No – 10 yr phase in (except 100% ratings)
VA Rating Starts At	10%	50%
Federal Tax	Tax Free	Taxed
File Claims	Must Apply	Automatic
Qualified Injury	Combat-Linked	Service Connected
Subject to Uniform Services Former Spouse Protection Act (USFSPA)	No	Yes
SBP (Survivor Benefit Plan)	No	Yes
Available to Chapter 61 Medical and TDRL retirees with less than 20 years of service	Yes	No